

**MINUTES OF THE  
ADMINISTRATIVE RULES REVIEW COMMITTEE**  
Wednesday, November 5, 2003 – 2:00 p.m. – Room 416 State Capitol

**Members Present:**

Sen. Howard A. Stephenson, Senate Chair  
Rep. David Ure, House Chair  
Sen. Mike Dmitrich  
Sen. Ed Mayne  
Rep. Judy A. Buffmire  
Rep. James R. Gowans  
Rep. Merlynn T. Newbold

**Members Absent:**

President Al Mansell  
Sen. Michael G. Waddoups  
Rep. Greg J. Curtis

**Staff Present:**

Mr. Arthur L. Hunsaker, Policy Analyst  
Ms. Susan Creager Allred, Associate General Counsel  
Ms. Cassandra N. Bauman, Legislative Secretary

**Note:** A list of others present and a copy of materials can be found at [www.le.utah.gov](http://www.le.utah.gov) or by contacting the committee secretary at 538-1032.

**1. Committee Business**

Chair Stephenson called the meeting to order at 9:13 a.m. Previous to the meeting, Rep. Curtis asked to be excused.

**MOTION:** Rep. Ure moved to approve the minutes of the October 8, 2003 meeting. The motion passed unanimously.

**2. R873-22M-3 Rules for Denial of Personalized Plate Requests**

Mr. Bruce Johnson, Commissioner, and Ms. Lynn Solarczyk, Legal Counsel, Utah State Tax Commission, reported that the Tax Commission denied Mr. Dennis Udink his request for a personalized license plate bearing his surname because it is also considered an offensive slang term. Mr. Johnson said the Tax Commission reviewed the Committee's suggestion to provide an exemption in the rule for an individuals' surname, but decided against it.

**3. Utah Charter Schools Assurances**

Rep. Craig Frank introduced the issue.

Ms. Julie Adamic, John Hancock Charter School, and Mr. Eric Smith, Timpanogos Academy, discussed the confusion regarding the agreement made between their charter schools and the Utah State Office of Education and the new assurances and contract which charter schools are required to sign.

Mr. Ed Kruger, Director, Bryan Charter Schools in Wyoming, related difficulties with establishing charter schools in Utah.

Ms. Carol Lear, Coordinator for Government and Legislative Relations, and Mr. Ray Timothy, Associate Superintendent, Utah State Office of Education, explained the rules and statutory requirements for charter schools in Utah.

Committee discussion followed.

Rep. Frank said he would meet with charter school representatives and the State Office of Education to resolve the concerns expressed by charter schools.

#### **4. Interim Cache Valley Ground-Water Management Plan**

Mr. Evan Olsen, resident, Cache County, said the Cache County Water Management Plan was not established through the rulemaking process. He expressed concern that the residents of Cache County were not involved in the process.

Mr. Scott Morrill and Mr. Eldon Money, resident, Utah County, commented.

Mr. Jerry Olds, State Engineer, Division of Water Resources, Department of Natural Resources, and Mr. Charlie Sim, Assistant State Engineer, Division of Water Resources, Department of Natural Resources, explained the water management plan and the process for public input.

Mr. Gordon Zilles, Mr. Shane Sorensen, and Mr. Lynn Sorensen spoke to the issue.

Committee discussion followed. Chair Stephenson and Rep. Ure indicated that the chairs will send a letter to the Natural Resources, Agriculture, and Environment Interim Committee as well as the State Water Development Board urging that the entities review the issue. The Administrative Rules Review Committee may consider the rulemaking implications of water management plans in a future meeting.

#### **5. Other Items / Adjourn**

Due to the lack of a quorum, Chair Stephenson adjourned the meeting at 4:37 p.m.